

## **REMARKS**

### **Summary**

Claims 6-7, 9-10, 16-17, 19-20, 27-31 and 37-41 are pending in this application. Claims 1-5, 8, 11-15, 18, 21-26 and 32-26 are canceled. Claims 6, 16, 27 and 37 are currently amended. Support for the current amendments may be found at least at page 6, lines 16 to 18 and page 31, lines 17 to 19 of the specification. Favorable reconsideration and allowance of the pending claims are requested.

### **Claim Rejections - 35 U.S.C. § 103**

Claims 6-7, 9-10, 16-17, 19-20, 27-31 and 37-41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over “*Handspring Visor for Dummies*,” Microsoft Windows Version 5.0, 2001 to Dyszel (hereinafter “Windows”) in view of United States Patent Publication No. 2002/0154178 to Barnett et al. (hereinafter “Barnett”). Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the rejection.

To form a *prima facie* case of obviousness under 35 U.S.C. § 103(a) the cited references, when combined, must teach or suggest ***every element*** of the claim. *See* MPEP § 2143.03, for example. Applicant respectfully submits that the Office Action has not established a *prima facie* case of obviousness because the cited references, taken alone or in combination, fail to teach or suggest every element recited in claims 6-7, 9-10, 16-17, 19-20, 27-31 and 37-41. Therefore claims 6-7, 9-10, 16-17, 19-20, 27-31 and 37-41 define over the cited references whether taken alone or in combination. For example, claim 6 recites the following language, in relevant part:

in response to a user selection of a first highlighted appointment icon, automatically displaying a preview window comprising details of said first highlighted appointment icon on said display screen, wherein said preview window is displayed simultaneously with said weekly view graphical image, said weekly view graphical image remains user accessible while said preview window is open, said preview window is scrollable independent from said weekly view graphical image.

According to the Office Action, Dyszel at Figure 8-4 and page 122 discloses the above-recited language. Applicant respectfully disagrees.

Dyszel fails to disclose the missing language of the claimed subject matter. For example, Dyszel at the given cite arguably discloses an element at the top of the screen displaying appointment information. However, the element is small in proportion to the rest of the display and, thus, is limited to the amount of information that may be displayed. Figure 8-4, reproduced below, clearly fails to disclose a preview window that is independently scrollable, as required by claim 6.



The claimed subject matter discloses a preview window that is displayed simultaneously with a weekly view graphical image. The weekly view graphical image remains user accessible while said preview window is open and the preview window is scrollable independent from said weekly view graphical image. In this manner, the preview window may occupy a portion of the display and contain more information than is viewable at one time. The information may be viewed by independently scrolling the preview window. This feature is particularly advantageous in mobile devices, which typically have small displays. Therefore, Dyszel fails to disclose, teach or suggest the above-recited language. Furthermore, the cited portions of Windows and Barnett fail to remedy the deficiencies of Dyszel. Consequently, the cited references, whether taken alone or in combination, fail to disclose, teach or suggest every element recited in claim 6.

For at least these reasons, claim 6 is patentable over the cited references, whether taken alone or in combination. In addition, claims 16, 27 and 37 recite features similar to

those recited in claim 6. Therefore, claims 16, 27 and 37 are not obvious and are patentable over the cited references for reasons analogous to those presented with respect to claim 6. Accordingly, Applicant respectfully requests removal of the obviousness rejection with respect to claims 6, 16, 27 and 37. Furthermore, if an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious. *See* MPEP § 2143.03, for example. Accordingly, Applicant respectfully requests withdrawal of the obviousness rejection with respect to claims 7, 9-10, 17, 19-20, 28-31 and 38-41 that depend from claims 6, 16, 27 and 37, and therefore contain additional features that further distinguish these claims from the cited references.

**Conclusion**

It is believed that claims 6-7, 9-10, 16-17, 19-20, 27-31 and 37-41 are in condition for allowance. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

Applicant does not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the limitations of the independent claims and dependent claims discussed above. Accordingly, Applicant hereby reserves the right to make additional arguments as may be necessary to further distinguish the claims from the cited references, taken alone or in combination, based on additional features contained in the independent or dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

The Examiner is invited to contact the undersigned to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to the credit card in the previously filed credit card authorization form.

Respectfully submitted,

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John F. Kacvinsky, Reg. No. 40,040  
Under 37 CFR 1.34(a)

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